

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION  
KNOXVILLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT WOMBOLD,

Defendant.

Criminal No. 16-20-ART-HBG-(2)

**ORDER**

\*\*\* \*\*

Scott Wombold moved to dismiss counts eleven through thirteen of the original indictment in this case because the counts are duplicitous. R. 80; *see* R. 3 (indictment). The government then brought a superseding indictment, R. 97, and filed a response explaining that the new indictment cured the duplicity problems, R. 113. Magistrate Judge Bruce Guyton held a hearing to discuss Wombold's motion, and both parties agreed that the superseding indictment took care of his concerns. *See* R. 125 at 1–2.

Thus, Judge Guyton filed a report and recommendation that the Court deny Wombold's motion as moot. *Id.* Neither party filed an objection, and the time to do so has passed. *Id.* at 2 n.2. Accordingly, it is **ORDERED** that Judge Guyton's report and recommendation, R. 125, is **ADOPTED** as the opinion of the Court. Scott Wombold's motion to dismiss, R. 80, is **DENIED AS MOOT**.

This the 16th day of February, 2017.



Signed By:

Amul R. Thapar

AT

United States District Judge